

Exhibit B

(Excerpt)

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

U.S. ANESTHESIA PARTNERS, INC., et al.

Defendants.

Case No.: 4:23-CV-03560-KH

**USAP’S OBJECTIONS AND RESPONSES TO THE FTC’S
FIRST SET OF REQUESTS FOR ADMISSION**

Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Defendant U.S. Anesthesia Partners, Inc. (“USAP”), by and through undersigned counsel, objects and responds to Plaintiff the Federal Trade Commission’s (“FTC”) First Set of Requests for Admission (the “Requests”), dated March 7, 2025. These objections and responses reflect USAP’s present knowledge, information, and belief and are subject to change or modification based on further discovery or on facts or circumstances that may come to USAP’s knowledge.

GENERAL OBJECTIONS

The following General Objections apply to each and every Request and will form an integral part of USAP’s response to the FTC’s Requests.

1. USAP objects to each and every Definition, Instruction, and Request to the extent it attempts to alter the scope of discovery or impose obligations that exceed those required by the Federal Rules of Civil Procedure, the Local Civil Rules of the U.S. District Court for the Southern District of Texas, any agreement or stipulation between the parties on ESI, any Protective Order, or any other rule or order in this case.

Subject to and without waiving these objections, USAP denies that it acquired Anesthesia Consultants of Dallas, but admits that USAP Texas hired, as new employees, personnel formerly affiliated with Anesthesia Consultants of Dallas. USAP admits that, prior to being hired as new employees, personnel formerly affiliated with Anesthesia Consultants of Dallas provided Anesthesia Services in Dallas.

REQUEST NO. 38:

Admit that before it was Acquired by USAP, Excel Anesthesia, P.A. provided Anesthesia Services in Dallas.

RESPONSE:

USAP incorporates by reference its General Objections and its Objections to Definitions and Instructions.

Subject to and without waiving these objections, USAP denies this Request, as it did not acquire Excel Anesthesia, P.A., but admits that USAP Texas acquired Excel Anesthesia, P.A., and USAP admits that Excel Anesthesia, P.A., provided Anesthesia Services in Dallas before it was acquired by USAP Texas.

REQUEST NO. 39:

Admit that before it was Acquired by USAP, BMW Physicians provided Anesthesia Services in Dallas.

RESPONSE:

USAP incorporates by reference its General Objections and its Objections to Definitions and Instructions.

Subject to and without waiving these objections, USAP denies that it acquired BMW Physicians, but admits that USAP Texas hired, as new employees, personnel formerly affiliated with BMW Physicians. USAP admits that, prior to being hired as new employees, personnel formerly affiliated with BMW Physicians provided Anesthesia Services in Dallas.

REQUEST NO. 40

Admit that before it was Acquired by USAP, Medical City Physicians provided Anesthesia Services in Dallas.

RESPONSE:

USAP incorporates by reference its General Objections and its Objections to Definitions and Instructions.

Subject to and without waiving these objections, USAP denies that it acquired Medical City Physicians, but admits that USAP Texas hired, as new employees, personnel formerly affiliated with Medical City Physicians. USAP admits that, prior to being hired as new employees, personnel formerly affiliated with Medical City Physicians provided Anesthesia Services in Dallas.

REQUEST NO. 41

Admit that before it was Acquired by USAP, East Texas Anesthesiology Associates provided Anesthesia Services in Tyler.

RESPONSE:

USAP incorporates by reference its General Objections and its Objections to Definitions and Instructions.

Subject to and without waiving these objections, USAP denies that it acquired East Texas Anesthesiology Associates, but admits that USAP Texas hired, as new employees, personnel formerly affiliated with East Texas Anesthesiology Associates. USAP admits that, prior to being hired as new employees, personnel formerly affiliated with East Texas Anesthesiology Associates provided Anesthesia Services in Tyler.

REQUEST NO. 42

Admit that before it was Acquired by USAP, MetroWest Anesthesia Care, PLLC provided Anesthesia Services in Houston.